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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/051,313 04/23/93 TAKEMURA

Y 0756-864

EXAMINER

DUONG, T

ART UNIT

PAPER NUMBER

9

2515

DATE MAILED:

11/14/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

*Response and/or
Appeal Due: 2/14/96*

☐ This application has been examined ☒ Responsive to communication filed on 7/11/95 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-8 and 21-23 are pending in the application.

Of the above, claims 6-8 are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.
3. ☒ Claims 1-3 and 21 are allowed.
4. ☒ Claims 4, 5, 22 and 23 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EFFECTIVE FILING DATE -

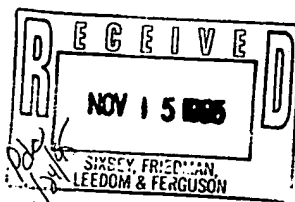
4-23-93

ADD new Calendar Entry "due"

2-14-96

DOCKETED
11-16-95

EXAMINER'S ACTION



Claims 6-8 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b) as being drawn to a nonelected species. Election was made **without** traverse in Paper No. 5.

Claims 4, 5 and 22 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4, which depends on claim 1, recites a broad limitation within the narrow limitation of claim 1. Claim 1 recites that the two capacitances are the same as each other or equal to each other, i.e. no difference between the areas of the two capacitances, while claim 4 recites that there is a difference between the areas of the capacitances.

Claim 5 is inaccurate with respect to the specification and the drawing. The specification and figures 1A, 1B, 6A and 6B do not disclose that the pixel electrode is superposed on the data line. Also, see Applicant's remarks on page 4 of the amendment. If the amended claim 5 is directed to the embodiment of fig. 4, claim 5 is withdrawn from consideration as being directed to a non-elected species since applicant has received an action on the merits for the originally presented invention, and this invention has been constructively elected by original presentation for prosecution on the merits. In claim 22, lines 11-13, it is unclear whether the "said pixel electrode" refers to the first

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pixel electrode or the second pixel electrode. Also, in line 10, "the area" lacks antecedent basis.

Claim 23 stands rejected under 35 U.S.C. § 102(b) as being anticipated by JP No. 60-54478.

In response to Applicant's argument that the drain electrode or the capacitor electrode 25₂ is not a pixel electrode, it is ^{apparent} to those of ordinary skill in the art that when the ^{drain} ~~drawn~~ electrode and the pixel electrode are formed of the same material, and integral with each other to form a continuous one-piece element, the drain electrode is also the pixel electrode, as evidenced by the references cited of record. See Okubo' 271 (Fig. 3, col. 2, line 50 - col. 2, line 2; col. 2, lines 66-68); Iwai '017 (Abstract); Tsukada et al. '697 (col. 1, lines 40-46); and Brody et al. "A 6x6 Inch 20 lines --per-- Inch Liquid Crystal Display Panel" (Figs. 2 (b) and 3(b)). It is noted that the Brody article is discussed in the paragraph bridging column 2 and column 3 on pages 475 and 476 of the JP No. 60-54478.

Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED

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STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Claims 1-3, and 21 are allowable over the prior art of record because none of the prior art discloses or suggests that the capacitance between the pixel electrode and the gate line, and the capacitance between the pixel electrode and the wiring (or second gate line) are the same as each other (equal to each other).

Claim 22 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112.

Claim 4 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (703) 308-4873.

Duong/tj

Oct. 20, 1995

WILLIAM L. SIKES
SUPERVISORY PATENT EXAMINER
GROUP 2500